



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/732,808 | 12/11/2003 | Benoit De Boursetty | 324-162 | 5873 |

7590 03/19/2007
LOWE HAUPTMAN GILMAN & BERNER, LLP
Suite 300
1700 Diagonal Road
Alexandria, VA 22314

| |
|----------|
| EXAMINER |
|----------|

WANG, HARRIS C

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2139

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 03/19/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|-------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/732,808 | Applicant(s) DE BOURSETTY ET AL. | |
| | Examiner Harris C. Wang | Art Unit 2139 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 6/15/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-9 are pending

Priority

- 2.

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in France on 10/31/2002. It is noted, however, that applicant has not filed a certified copy of the FRANCE 02-13721 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 112

- 3.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, describes: "reading first information on said M first members and second information on said N second members in delegation means from said terminal

Art Unit: 2139

responsive to a first identifier of said given first member included in said first information and transmitted by said terminal to said delegation means.”

It is unclear what is reading the information (delegation means, or terminal), what is responsive to a first identifier, and what is being transmitted by the terminal.

Appropriate correction is required.

Claims depending on Claim 1 are also rejected.

Claim Rejections - 35 USC § 102

4.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Brickell (US20030145223).

Regarding Claim 1,

Brickell teaches a method of delegating signing of predetermined data by a given one of M first members mandated by N second members, M and N being integers of which one is equal to 1 and the other is at least equal to 2 (*"we refer to a user who is engaged in a delegation relationship as either a delegator who assigns a delegation authority or a delegate who is assigned a delegation authority"* Paragraph [0022]), The Examiner interprets M first members as the delegates, and the Examiner further interprets the N second members as the delegators), the given first member having a terminal (*"the processing described below may be performed by a...general purpose computer"* Paragraph [0021]) containing first information on said given first member (*"A user...with appropriate credential information"* Paragraph [0023]), said method comprising the following steps:

Reading first information on said M first members and second information on said N second members in delegation means from said terminal responsive to a first identifier of said given first member included in said first information and transmitted by said terminal to said delegation means, (*"A user who requests a delegation service may provide information relevant to the delegation such as the identities of the delegator and the delegate"* Paragraph [0044]). The Examiner interprets the DCSP (Delegate Credential Service Provider, shown in Fig. 7, as the delegation means. The Examiner interprets reading first and second information as the identities of the delegator and delegate.

Brickell further teaches applying predetermined data, said first information, said second information, and a first private key of said given first member to a cryptographic algorithm implemented in said terminal to produce a signature. (*"The*

Art Unit: 2139

delegate...requests...as service from the relying party. The delegate signs this...with his private signature key" Paragraph [0033]). It is inherent that the private signature key is for producing a signature. It has already been cited above that request requires relevant information needs to be produced including the identities of the delegator and delegate (1st information and 2nd information). It is inherent that if a delegate is used there must be a predetermined data selected for delegation.

Brickell further teaches transmitting said predetermined data, said first information, said second information, and said signature to any user terminal interested in said predetermined data. (*"With the returned credential information, the relying party authenticates the delegate....based on the authentication result, the relying part generates...a service response and sends...the response back to the delegate" Paragraph [0033]).* The Examiner interprets transmitting the data was the response being sent back.

Regarding Claim 2,

Brickell teaches the method claimed in claim 1, wherein said second information on a second member comprises at least an identifier of said second member. (*"A user who requests a delegation service may provide information relevant to the delegation such as the identities of the delegator and the delegate" Paragraph [0044])*

Regarding Claims 3 and 4,

Brickell teaches the method claimed in claim 1 wherein said second information on a second member further comprises a public key of said second member, also wherein said second information on a second member further comprises an electronic certificate of said second member.

("A user's digital certificate may comprise...a user's public key" Paragraph [0034])

Regarding Claim 5,

Brickell teaches the method claimed in claim 1 wherein said first information on a first member comprises an electronic certificate of said first member. *(Fig. 5, Delegation Certificate)*

Regarding Claim 6,

Brickell teaches the method claimed in claim 1. Brickell further teaches wherein said integer M (delegate) is equal to 1 and said integer N (delegator) is at least equal to 2. *("The DCSP interfaces with both delegates 210a...220b and delegators 210...220a...The DCSP comprises a service registration interface that interfaces with users (delegates and delegators) for subscription and registration purposes" Paragraph [0042])* ("A delegate may refer to any user. For example, a user who may be a

Art Unit: 2139

delegator in a separate delegation relationship may independently send a service request to the relying party" Paragraph [0033])

The above references teach that there are groups of delegates and delegators, where the DCSP assigns the relations between them. The references further teach that an user may either a delegator or a delegate or both. Therefore it is inherent that Brickell anticipates where the integer M is equal to 1 and integer N is at least equal to 2.

Regarding Claim 7,

Brickell teaches the method claimed in claim 1. Brickell further teaches ("The DCSP interfaces with both delegates 210a...220b and delegators 210...220a" Paragraph [0042]), wherein said integer N (delegator) is equal to 1 and said integer M (delegate) is at least equal to 2 ("a relying party authorizes services to a plurality of delegates." Paragraph [0022])

Regarding Claim 8,

Art Unit: 2139

Brickell teaches the method claimed in claim 1 wherein said M first members and said N second members constitute a group of members. ("The DCSP interfaces with both delegates 210a...220b and delegators 210...220a" Paragraph [0042])

Claim Rejections - 35 USC § 103

5.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brickell in view of Garay (6839436) .

Regarding Claim 9,

Brickell teaches the method claimed in claim 1. Brickell does not explicitly teach comprising loading predetermined data and a signature program including at least part of said cryptographic algorithm from at least one server connected to said terminal of said given first member before verification of said predetermined data by said given first member.

As disclosed in the rejection of Claim 1, Brickell teaches a Delegation Credential Service Provider, where upon authenticating the delegate predetermined data is transferred to the delegate. (*"With the returned credential information, the relying party authenticates the delegate....based on the authentication result, the relying part generates...a service response and sends...the response back to the delegate"* Paragraph [0033]).

Garay teaches "In general, broadcast encryption techniques are employed to encrypt digital content to ensure that only privileged users are able to recover the content from an encrypted broadcast" Column 1 lines 12-16.

It would have been obvious to one of ordinary skill in the art at the time of the invention to send encrypted predetermined data to the delegate instead of loading before verification of said predetermined data.

The motivation to send encrypted predetermined data to the delegate is to perform the authentication at the delegate. The concept of broadcast encryption where data is sent first and then decrypted at the receiver is well known in the art.

Conclusion

6.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harris C. Wang whose telephone number is 5712701462. The examiner can normally be reached on M-F 8-5:30, Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AYA Z R. SHEIKH can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Taghi D Arani
Primary Examiner
Jon D. Arani
3/16/09